

REMARKS

The present invention relates to a control for a machine for making paper padding. The machine includes a drive motor having a cutting device as well as a shaping device to form a piece of padding from the paper web and to cut it off to a desired length.

The machine includes an input, such as the button 18, to input a desired length of padding. The overall control unit 10 or 40 also includes a memory to control the drive motor in response to the input mechanism.

An activation of the input mechanism starts the drive motor. Conversely, deactivation of the input mechanism stops the drive motor and also triggers a cutting procedure to cut the paper padding. At that time, the just prior period of activation of the input means corresponds to the length of the padding just produced. The control unit automatically stores the length of the padding just produced in memory upon deactivation of the input means and makes it available for a subsequent call up.

Consequently, with Applicant's invention, it is simple and quick to make a plurality of paper paddings of the same length. For example, if a plurality of paper padding of a certain length, e.g. 10 feet, is desired, it is only necessary to carefully produce the first length of 10-foot padding. The period of motor activation corresponding to that 10-foot length is then automatically stored in memory and can be immediately called up to produce another 10-foot length of padding, and so on, until all of the 10-foot lengths of padding desired are produced.

The Patent Examiner, however, has previously rejected the claims as anticipated by U.S. Patent Application Publication No. 2003/0114288 to Harding. However, in view of the amendments made to claim 1, the only independent claim in the instant application, Applicant respectfully submits that this basis for rejection should be withdrawn.

More specifically, Applicant freely acknowledges that the Harding patent publication teaches a padding machine in which padding of different lengths may be produced. However, padding machines in general are not new and have long been used and sold.

What makes Applicant's machine not only new, but patentably unobvious, is that Applicant uses the input means 18 to not only start and stop the drive motor and initiate the cutting operation once the motor has stopped, but also to store the just produced length of paper padding for subsequent and immediate call up.

The Harding reference, on the other hand simply does not disclose a padding machine in which the just produced length of padding is automatically stored and available for immediate call up to replicate the same length of paper padding, if desired. Rather the Harding reference, merely stores the total length of paper padding produced; see paragraph [0081]. The reason that the total padding produced is stored is for periodic billing purposes as specified in paragraph [0071] of the Harding patent, or to charge for usage of the machine; see paragraph [0077]. Thus, at the end of a "preplanned time interval", such as a day, week, etc., the total amount of paper padding produced is downloaded to a remote processor for billing purposes; see paragraph [0071].

Consequently, unlike the Applicant's invention, there is absolutely no teaching or suggestion in the Harding reference that the length of paper padding just produced is stored and available for immediate call up.

Claim 1, the only independent claim in the instant application, has now been carefully amended to set forth that the length of paper padding just produced is stored and available for immediate call up. Since this aspect of Applicant's invention is neither taught nor suggested in the Harding reference, Applicant respectfully submits that claim 1 patentably defines Applicant's

invention over the prior art of record and is, therefore, allowable. All remaining claims in this application depend from claim 1 and are, therefore, also allowable.

In view of the foregoing, Applicant respectfully submits that the instant application is in condition for formal allowance and such action is respectfully solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1180.

Dated: July 23, 2009

Respectfully submitted,

Electronic Signature : /Douglas W. Sprinkle/
Douglas W. Sprinkle
Registration No.: 27,394
GIFFORD, KRASS, SPRINKLE, ANDERSON
& CITKOWSKI, P.C.
2701 Troy Center Drive, Suite 330
Post Office Box 7021
Troy, Michigan 48007-7021
(248) 647-6000
(248) 647-5210 (Fax)
Attorney for Applicant